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SUBJECT: NIGERIA: FY2002 LAW ENFORCEMENT ASSISTANCE PLAN

REF: A) STATE 189082 B) 01 LAGOS 1042

SENSITIVE BUT UNCLASSIFIED -- PROTECT ACCORDINGLY.

1.(SBU) Introduction: The USG's law enforcement program in Nigeria is dynamic and diverse, covering eight major areas: counter-narcotics; fighting financial fraud, particularly "419" advance-free fraud; immigration crimes; police modernization; anti-corruption; extradition, trafficking in persons, and money laundering. Reflecting these priorities outlined in the Mission's Performance Plan (MPP) are the resources found in the presence at the Mission of DEA, FBI, USSS, DSS, DSS Anti-Fraud Unit, INL and, soon to be added, DOJ's ICITAP. The INL program which began in earnest in February 2001 with the opening of the Regional Narcotics and Law Enforcement Office (RNLEO), provides funding for training and assistance projects to the Nigerian Government in collaboration with these USG law enforcement agencies. Per Ref A's guidance, law enforcement projects proposed tie together training, technical assistance and the provision of some equipment and material.

2.(U) Regional Note: Most of the USG law enforcement agencies' offices resident in the Mission have regional coverage, of varying scope and size. While this LE assistance plan is for Nigeria, consideration for regional needs is addressed as much as possible, especially in the area of training, to foster greater cooperation within the West African sub-region. Efforts will be made in particular to engage ECOWAS on a number of law enforcement and security issues such as Trafficking in Persons, Counter-Narcotics, and addressing the proliferation of small arms.

The Framework: Bilateral Law Enforcement Committee

3.(U) Advancement of USG law enforcement goals in Nigeria is accomplished through the U.S.-Nigeria Law Enforcement Committee, which met for the first time on November 9, 2001 in Washington D.C.. The eight priority law enforcement areas identified in paragraph one are built into the agenda of this forum. In a Joint Declaration signed at the conclusion of the Committee's first meeting, the GON agreed to take the following five steps by May 2002 (the next meeting of the Committee):

-- introduce and seek to pass legislation to revise the 1995 Money Laundering Act and create a financial intelligence unit to improve the fight against money laundering in line with FATF criteria;

-- commence an investigation of at least one major Nigeria-based drug trafficker with the DEA;

-- introduce and seek to pass legislation allowing for the civil forfeiture of assets derived from proceeds of organized crime and drug trafficking;

-- commence extradition proceedings of individuals wanted for prosecution by the U.S. Government; and

-- give the Independent Corrupt Practices and Related Offenses Commission (ICPC) all necessary resources to launch criminal cases against high-level officials accused of corruption.

4.(U) In return, the USG pledged to provide expanded assistance and training to GON law enforcement agencies and the Central Bank of Nigeria in the areas of counter-narcotics, money laundering, financial fraud, police reform, trafficking in persons, immigration crimes, corruption and extradition. This includes:

-- assistance in the fields of information technology, controlled drug deliveries, financial and assets investigations, and criminal records management;

--collaboration with the NDLEA in the upgrading of the NDLEA's training academy;

--activities to strengthen the capacity of law enforcement agencies; and

-- efforts to increase international law enforcement exchanges.

#### The Nigerian Players

5.(U) Caveat: Lagos vs. Abuja. The bulk of operational law enforcement units addressing organized crime remains in Lagos, West Africa's largest urban center and the hub of organized crime for the country. That said, a number of senior law enforcement managers, formerly resident in Lagos, have made the transition to Abuja, though some maintain offices in Lagos and commute between the two cities.

6.(SBU) The Attorney General's Office/Ministry of Justice. The late Attorney General, Bola Ige, was the Mission's primary counterpart for law enforcement policy issues and we expect the new AG to follow in this role. All proposed criminal laws are drafted by the AG's office (e.g. the new revised Money Laundering Act and new Financial Crimes Commission Act) and all extradition requests flow through this office. Federal prosecutions are under the AG's control, and the Solicitor General, Mrs. T.A. Osinuga, handles this caseload. The new Attorney General will also oversee the NDLEA, as did the late Attorney General.

7.(SBU) The National Drug Law Enforcement Agency (NDLEA). Established in 1989, this is the Nigerian Government's sole counter-narcotics agency. Staffed by over 3,500 constables and officers, the NDLEA is spread over 28 zones, with a particular emphasis on interdicting narcotics at air- and sea ports and international land borders. It remains headquartered in Lagos and its Chairman, Bello Lafiaji, answers to the Attorney General in Abuja. The NDLEA is not part of the Nigerian Police Force. This is DEA's sole counter-part and its partner in a growing bilateral drug enforcement and counter-narcotics assistance relationship.

8.(SBU) Nigerian Customs Service (NCS). Widely regarded as the most corrupt of Nigeria's law enforcement agencies, the NCS has as its official mandate the collection of exorbitant duties from imports. Unlike other nations' Customs Services, the NCS does not view drug interdiction as part of its mandate. It is not a significant partner in USG law enforcement cooperation and is not a recipient of USG assistance.

9.(SBU) Nigerian Immigration Service (NIS). Responsible for all emigration/immigration controls at major international entry and exit points, the NIS has been engaged by the DS Anti-Fraud Unit at Post in an attempt to improve the interdiction of U.S.-bound illegal aliens and to confiscate fraudulent USG identity and immigration documents. NIS personnel have the power to detain and arrest suspects but cannot arraign or prosecute (the Police must be called in for criminal prosecution).

10.(SBU) Ministry of Justice/Department of Public Prosecutions (DPP). Under the Attorney General and Minister of Justice, the DPP is responsible for prosecuting cases in the Federal High Court of Nigeria (though the vast majority of criminal cases, involving minor offenses, are prosecuted by police officers). The main USG interest in working with this office is the development of a functional extradition process to submit Nigerian fugitives from USG justice to U.S. courts for trial. The DPP has only 20 prosecutors for this country of 120 million people.

11.(SBU) Special Assistant to the President for TIP and Child Labor. This position, established in mid-2001, was created to coordinate the GON's response to the international TIP problem. The incumbent, Mike Mku, is also attempting to coordinate foreign donors' assistance to Nigeria for anti-trafficking projects.

12.(SBU) The National Security Advisor (NSA) to the President. The NSA, retired LTG Aliyu Muhammed, serves as the President's right-hand man on security and law enforcement matters. While not usually involved in the routine execution of law enforcement policy, he has taken the lead on special high-priority issues such as money laundering in the post-September 11 era. He acts on the President's authority in ordering or coordinating law enforcement actions or changes in policy.

13.(SBU) The Ministry for Police Affairs (MPA). This Ministry was recreated by President Obasanjo to oversee the management of the NPF after being eliminated at the outset of the Abacha regime in 1994. It ostensibly controls the NPF's budget and supervises the Inspector General of Police (IGP). The last Minister for Police Affairs, however, did not enjoy a cooperative relationship with the IGP, who continues to use his direct channel to the President liberally. As it serves largely as a policy shop, the MPA's staff is small and is not set up to run programs. The Mission interacts regularly with the MPA -- particularly with regard to the Police Reform cited below -- but there are no projects directly specifically at the Ministry.

14.(SBU) The State Security Services (SSS). This intelligence and security agency is responsible for safeguarding the country against foreign and domestic terrorism and other national security threats. It has sweeping powers and operates throughout the country, answering only to the Office of the Presidency, through the National Security Advisor. The Mission occasionally deals with SSS on law enforcement matters such as terrorism financing and particular criminal investigations.

#### The Nigerian Police Force (NPF)

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15.(SBU) The NPF is headed by the Inspector General of Police (IGP), Musiliu Smith, who ostensibly reports to the Minister for Police Affairs, but in practice has a direct line to the President. Under the IGP's command are seven Deputy Inspectors General (DIGs) -- the senior DIG and six DIGs who oversee six Departments of the NPF -- Administration (Department A); Operations (Department B); Logistics (Department C); Criminal Investigations Department--CID (Department D); Training (Department E); and Research and Planning (Department F).

16.(SBU) Operations (Department B). This department is the largest in the NPF, managing the basic law-and-order deployment of police units on the street and the Mobile Police (MOPOL), the NPF's "elite" force to deal with violent crime, dignitary protection, and crisis situations. The U.S. Mission relies on this Department for the security of USG personnel and facilities and protection of visiting U.S. dignitaries. The U.S. business community also relies on MOPOL for protection. MOPOL has its own training facility -- separate from that of the main police force -- in Goza, near Maiduguri in the northeastern state of Borno. Though no assistance is currently planned for MOPOL personnel, the Mission hopes to include MOPOL in future civil disorder management training.

17.(SBU) Criminal Investigations Department (Department D). This is by far the most important Department in terms of USG law enforcement interests. USG LEAs are in contact with its sub-entities on a daily basis, as it includes: the Special Fraud Unit (SFU) responsible for fighting "419" advance-fee fraud; the INTERPOL liaison office responsible for dealing with all foreign law enforcement liaison; the Forensics Laboratory; and the Trafficking in Persons Task Force. Currently, all four of these units reside in Lagos, though the INTERPOL liaison office may soon move to Abuja. Project proposals contained in this assistance plan affect all four of these units.

18.(SBU) Training (Department E). The Training Department, managed by DIG Baba Ahmadu, runs four basic recruit Police

Training Colleges (Ikeja/Lagos, Maiduguri, Enugu, and Kaduna), five smaller schools for new constable recruits, the Officer Training Academy in Kano, and a mid-level officer training Staff College in Jos. The Police Reform Program to begin in March 2002 is designed to foster broad strategic reforms through the initial provision to this Department of a small model training program for new recruits in the four Police Colleges. Senior and mid-level management training of NPF officers will also be provided at both the Jos Staff College and the Kano Officer Academy.

19.(SBU) State Police units. Although the Nigerian constitution does not allow for state or local police forces, many governors have constituted de facto state police units through the back door. This has been done by governors' funding of particular groups of federal police to provide enhanced security functions at the state level. When funded largely or wholly by a State government these police units become beholden to the state governor, though still ostensibly a part of the federal police force. A good example of this growing trend is the Rapid Response Squad (RRS) in Lagos State -- a unit of 700 police set up by Governor Bola Tinubu. Vehicles, fuel and daily stipends are funded out of the Lagos State treasury. Similar units have appeared in Rivers, Kaduna, and Oyo states. The Mission has provided training and modest equipment to the Lagos RRS to assist it in attacking violent organized crime in the city.

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Proposed Projects of INL's Nigeria Program  
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20.(U) The following breaks down the Mission's law enforcement plan into projects addressing each of the eight major law enforcement areas, along with specific projects and training activities tied to each objective.

Counter-Narcotics  
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21.(SBU) During the past year, INL resources (FY99-\$150,000; FY00-\$350,000) were used to provide the NDLEA with new vehicles, repair existing vehicles in the NDLEA fleet, provide communications equipment for key units assigned to the Lagos air- and sea-ports, and drug detection scanners to improve interdiction efforts at airports in Lagos, Abuja and Kano. Additionally, assistance planned from FY01 funds (\$150,000) will assist the NDLEA Academy in Jos with training-related equipment and USG-provided training. A DEA course in basic drug enforcement skills (DEA-01) funded in FY00 will be implemented in mid-2002 to support the NDLEA Academy. Similarly, a DEA course on Airport Interdiction (DEA-05) will be implemented in mid-2002 to support NDLEA airport units assisted by INL-provided equipment (a FY00 project).

22.(SBU) Targeting Major Traffickers. FY02: \$200,000 for telephone intercept equipment. The NDLEA has been assisted with basic drug enforcement resources through previous INL funding (vehicles, communications gear, drug detection equipment). This new FY02 project will provide the NDLEA's Joint Task Force with cellular phone intercept equipment, which will boost the Joint Task Force's ability to investigate major drug traffickers in cooperation with DEA. An offering of U.S. Customs course USCS-01 (Overseas Enforcement Training Program--OET) is proposed for FY02 funding to improve the skills of the NDLEA investigators in the Joint Task Force. RNLEO and DEA will monitor and report on the use and effectiveness of the equipment and training.

23.(SBU) Improving Interdiction Efforts. FY02: \$50,000 for a DEA Airport Interdiction Course. Continuing with implementation of the INL-funded effort to improve the NDLEA's interdiction efforts at the Lagos air- and sea - ports, DEA will provide an additional offering of the course - DEA-05 - on Airport Interdiction Skills. RNLEO and DEA will continue to monitor, through scheduled visits and surprise spot checks, the effectiveness of USG-assisted NDLEA interdiction efforts at Murtala Muhammed International Airport in Lagos.

Police Reform  
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25.(SBU) FY02: \$1.1 million. Building on demonstration

projects begun in FY2002 with FY01 INL and ESF funds and implemented by ICITAP, additional projects to: 1) improve the NPF's forensic analytical capabilities (\$300,000); 2) strengthen the currently weak cooperation between police investigators and state-level public prosecutors (\$200,000); and 3) provide Civil Disorder Management and specific conflict resolution training to special police units (e.g. the Rapid Response Squad in Kaduna) in order to improve the NPF's capacity to contain election-related violence in key violence-prone urban areas (e.g. Kano, Kaduna, Jos, Makurdi). Both activities are high priorities designated by GON policy-makers. \$150,000 in funding will be used to provide equipment to CDM units trained.

26.(U) This funding will extend the ICITAP-implemented Police assistance program to begin in March 2002. RNLEO and ICITAP Project Manager (PM) will monitor progress and effectiveness of this project and report regularly to INL. A detail proposal will be sent to INL/AEE separately via e-mail.

27.(SBU) FY02--\$200,000 in related training. The Police Reform Program will be complemented by FBI-provided training in three specialized investigative courses and a training-of-trainers (TOT) activity. The three investigative courses are: 1) FBI-XX: Investigating Serious Crimes (Homicide); 2) FBI-XX: Interview and Interrogation; and 3) FBI-XX: Surveillance Techniques. The training-of-trainers activity will be coordinated with the ICITAP Police Reform Program Manager to best support ongoing training assistance to police institutions. Each course and the TOT activity is estimated to cost \$50,000. RNLEO and ICITAP Project Manager (PM) would monitor and report on the effectiveness of this training.

#### Fighting "419" Advance-Fee Fraud

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28.(SBU) FY02: \$100,000 for a technical assistance project on asset forfeiture and \$100,000 for related USSS training. Building on FY00 provision of vehicles and equipment (\$185,000) and FY01 advanced computer forensics training (\$79,700) to the NPF's Special Fraud Unit and INTERPOL office to enhance operations against 419 fraud operators in the Lagos area, this project seeks to make those operations more effective through the systematic seizure and ultimate forfeiture of criminal assets of 419 organizations. Working with the SFU, a USSS technical advisor will help design a program for the tracking of assets and, with the cooperation of the Attorney General's office, will assist the NPF in the drafting of new legislation to allow for the speedy forfeiture of these assets. Complementing this technical assistance will be a regional training seminar on financial crimes for police and Central Bank investigators sponsored by the West African Institute for Financial and Economic Management (WAIFEM) and Central Bank investigators. Also, a USSS course on Combating Economic Fraud and Counterfeiting (USSS-01) and a customized USSS training activity, an Anti-Counterfeiting Technical Assistance Initiative (USSS-03) will be provided to NPF anti-fraud investigators. All of these training efforts directly support the ongoing INL-project to strengthen the capacity of the NPF and other investigative forces in the region to attack 419 and other forms of financial fraud.

#### Anti-Corruption

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29.(SBU) DOJ's Office of Overseas Prosecutorial Development, Assistance and Training (OPDAT) will begin implementation of a \$445,000 (FY01 ESF) project to provide investigative and prosecutorial training and technical assistance to the GON's Independent Corrupt Practices and Other Related Offenses Commission (ICPC) in April 2002. A follow-on proposal to provide the ICPC with a Training-of-Trainers (TOT) project has been proposed with FY2002 ESF funds. This will give the ICPC a sustainable capacity to train new personnel planned for hiring in late 2002 and beyond.

#### Combating Trafficking in Persons (TIP)

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30.(U) No FY02 INL funds are anticipated for anti-TIP

purposes. \$200,000 in FY01 INL funds will be devoted to support the NPF's Anti-TIP Task Force and sensitization training for NPF personnel involved in fighting TIP crimes. Additionally, \$300,000 is requested in G/TIP funds for investigative and prosecutorial training, through OPDAT and ICITAP, for NPF and MOJ/DPP investigators and prosecutors.

#### Money-Laundering -----

31.(SBU) FY02: \$200,000. The GON's proposed Financial Crimes Commission is expected to start operating later in CY2002. This commission will have full investigative, arrest and prosecutorial powers to address money laundering and other financial crimes and will be under the Office of the President. This project will provide technical assistance (\$125,000) in the form of USG money laundering experts sent to Nigeria on extended TDYs to assist the Commission with implementing effective regulations and will assist the new Commission with modest equipment (\$75,000).

#### Immigration Crimes -----

32. FY02: \$100,000 in equipment for NIS Anti-Fraud Unit and \$50,000 for DS Anti-fraud course. A draft MOU governing the role of U.S. INS agents working at the Lagos international airport and the GON's commitment to fighting immigration fraud emerged from recent bilateral discussions, particularly the November 9, 2001 meeting of the Bilateral LE Committee. Included in the MOU is mention of agreed upon USG assistance to the NIS in fighting immigration fraud committed by Nigerian nationals attempting to board US-bound flights. INS agents stationed TDY at the Lagos airport will work closely with the new NIS anti-fraud unit to interdict malafide passengers attempting to embark on flights to the U.S. This project will provide modest equipment -- specifically fraudulent document detection scanners -- and a DS training course (DS-01: International Travel Document Fraud) for NIS investigators and airline security personnel to support this joint effort.

#### Budget Summary -----

33. The Mission's request for FY2002 INL funds, as described above, is as follows:

Activity . . . . .	Amount
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NDLEA Teltap Equip. . . . .	\$200,000
NDLEA Interdiction Training . . .	\$100,000
Police Modernization Program. . .	1,100,000
Related Police Training (FBI). . .	\$200,000
Anti-Immigration Fraud . . . . .	\$100,000
Related DS anti-fraud training . .	\$50,000
Anti-419 Asset Seizures . . . . .	\$100,000
Related Anti-419 Training . . . . .	\$100,000
Money Laundering/FCC. . . . .	\$200,000

TOTAL . . . . . \$2,150,000

In addition to INL Funds requested, the following parallel requests for other funding for law enforcement uses have been made:

Project . . . . .	Amount . . .	Fund Source
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Anti-Corruption (ICPC) . . . . .	\$500,000 . . . .	ESF
Police Modernization . . . . .	\$1.5 million . .	ESF

Anti-TIP (OPDAT/ICITAP). \$300,000 . . . .	G/TIP
Anti-TIP: ECOWAS	
(Regional: thru UNODDCP) \$350,000 . . . .	G/TIP

